IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE L.NARASIMHA REDDY**

**WRIT PETITION NO : 22976 of 2004**

Between:

1 Maddipati Prasad, S/o. Kondaiah,
Nellipudi Village, Gangavaram Mandal, E.G.District.
2 Kalagara Rama Rao, S/o. Subbarao,
Nellipudi Village, Gangavaram Mandal, E.G.District.

**..... PETITIONER(S)**

AND

1 The Superintendent of Police, E.G.District, Kakinada.
2 The Dy. Superintendent of Police, Rampachodavaram, E.G.District.
3 The Sub Inspector of Police, Gangavaram P.S., E.G.District.
4 The Additional Agent to Government (Project Officer), Ramapachodavaram, E.G.District.
5 The Revenue Divisional Officer, Gangavaram, E.G.District.
6 The Mandal Revenue Officer, Gangavaram, E.G.District.
7 Sri Kancherla Venkata Rao, S/o. Late Veeranna,
Peda Garlapudi Village, Gangavaram Mandal, E.G.District.
8 Kosu Butchamma, W/o. Late Bapanna Dora,
Peda Garlapudi Village, Gangavaram mandal, E.G.District.

**.....RESPONDENT(S)**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ of Mandamus or any other appropriate Writ, Order or Direction directing the Respondents not to interfere with the possession and enjoyment of the petitioners over the land measuring an extent of Ac. 41.43 cents situated in Sy.Nos. 114, 116/1, 116/2 and 117 of Nellipudi Village, Gangavaram Mandal, E.G.District pending disposal of the WP 14032/2004 on the file of this Hon'ble by declaring the action of the Respondents 2 to 6 herein in interfering with the possession and enjoyment of the petitioners over the property at the instance of the respondents 7 and 8 herein as arbitrary, illegal and unconstitutional.

**Counsel for the Petitioner: MR.T.NIRANJAN REDDY**
**Counsel for the Respondents: GP FOR HOME**

**The Court made the following :**

**ORAL ORDER**:

This writ petition is filed seeking a direction to the respondents not to interfere with the petitioners' possession over the land in certain survey numbers "pending disposal of W.P.No.14032 of 2004 on the file of this Court".

Heard the learned counsel for the petitioners and the learned Government Pleader for Home.

One of the settled principles in the law of writs is that no writ petition can be filed or entertained exclusively for the purpose of securing interim or interlocutory orders in another set of proceedings. If the petitioners are of the view that the respondents herein are to be restrained from interfering with their possession pending disposal of the said writ petition, it shall always be open to them to file a Miscellaneous Petition in that writ petition. In case any of the respondents herein are not parties to that writ petition, they can file an application to implead them.

Viewed from any angle, this writ petition cannot be entertained.

Hence, this writ petition is disposed of leaving it open to the petitioners to file appropriate application in W.P.No.10432 of 2004. There shall be no order as to costs.

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(L. NARASIMHA REDDY, J.)

10th December, 2004

Bcj

To

1 The Superintendent of Police, E.G.District, Kakinada.
2 The Dy. Superintendent of Police, Rampachodavaram, E.G.District.
3 The Sub Inspector of Police, Gangavaram P.S., E.G.District.
4 The Additional Agent to Government (Project Officer), Ramapachodavaram, E.G.District.
5 The Revenue Divisional Officer, Gangavaram, E.G.District.
6 The Mandal Revenue Officer, Gangavaram, E.G.District.
7 Two C.Cs. to the Government Pleader for Home, High Court Buildings, Hyderabad (OUT).

8. Two C.D. copies